

REMARKS/ARGUMENTS

Claims 1-8, 11-23, 26-38 and 41-45 are pending in the present application. Claims 1, 11, 16, 26, 31 and 41 have been amended, and Claims 9, 10, 24, 25, 39 and 40 have been cancelled, herewith. Reconsideration of the pending claims is respectfully requested.

I. 35 U.S.C. § 103, Obviousness

Claims 1-45 stand rejected under 35 U.S.C. § 103 as being unpatentable over Yavatkar et al. (U.S. Patent No. 6,735,702), hereinafter “Yavatkar” in view of Deshpande (U.S. Patent No. 7,149,291), hereinafter “Deshpande”, further in view of Mawhinney et al. (U.S. Patent No. 6,826,620), hereinafter “Mawhinney”. This rejection is respectfully traversed.

Claim 1 has been amended to include the features of Claims 9 and 10 (which are thus being cancelled herewith, without prejudice or disclaimer). Amended Claim 1 is specifically directed to deploying distributed packet snoopers and associated packet filters that are used in matching packets that meet the criteria designated by such filters. In previously rejecting Claim 10 (whose features are now a part of amended Claim 1), the Examiner states that the cited Yavatkar reference teaches the receiving of a packet filter at each of the distributed packet snoopers since the cited reference describes the use of agents to collect information at col. 4, lines 24-30. Applicants respectfully urge that ‘usage’ of agents *does not describe any type of filter being received by such agents*. In fact, as stated in the several sentences immediately following this cited passage, the reference states:

Mobile agents may determine, without exchanging information or commands from a central location or human operator, which path to take to further investigate an attack. Since communication between a central console and a remote node is not required, a finer granularity of information may be collected and acted upon. Accuracy is improved by the speed at which agents may gather, process, and act on information

Thus, the cited reference expressly teaches away from the features of amended Claim 1 (and dependent Claims 11-14) due to the desire to *maintain agent autonomy* to improve information collection. The cited Yavatkar reference does not teach or suggest “deploying distributed packet snoopers from a packet usage manager to monitor the multiple sources of network packets, *receiving* packet filtering parameters *at each of the deployed* distributed packet snoopers” – and in fact expressly teaches away from any type of information exchange with mobile agents,

strongly evidencing no motivation to make such a modification. Thus, it is urged that amended Claim 1 is not obvious in view of the cited references.

Applicants traverse the rejection of the remaining pending claims for similar reasons to those given above with respect to amended Claim 1.

Therefore, the rejection of Claims 1-45 under 35 U.S.C. § 103 has been overcome.

II. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

/Wayne P. Bailey/

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